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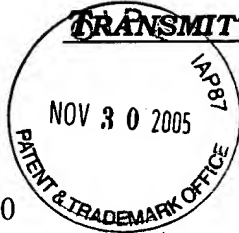


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PATENT

Attorney Docket No.	Serial No.
127P67USC1	09/995,009

TRANSMITTAL LETTER

MS: Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



In re Application of:	David B. Miller		
Serial No.:	09/995,009	Examiner:	Essama Omgba
Confirmation No.:	1384	Art Unit:	3726
Filed:	November 26, 2001		
For:	PRE-ASSEMBLED HOSE AND RING ASSEMBLY		
We are transmitting the following documents: Return Postcard Transmittal Letter [1 page] Amended Appeal Brief [5 pages]			

Please charge Deposit Account 50-0549 for any fees under 37 CFR §1.16 and §1.17 that may be required during the pendency of this application. This authorization includes the fee for any extension of time under 37 CFR §1.136(a) that may be necessary. To the extent any such extension should become necessary it is hereby requested.

Respectfully submitted,

Registration No. 30,087	Direct Dial 612-331-7415	
Date: November 28, 2005		Michael L. Mau
United States Patent and Trademark Office Customer No. 23322		
Certificate of Mailing		
Pursuant to 37 CFR 1.8, I certify that this correspondence is being deposited in the United States mail, addressed to: MS: Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below indicated date.		
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:	David B. Miller	Examiner:	E. Omgba
Serial No.:	09/995,009	Group Art Unit:	3726
Confirmation No.:	1384	Docket No.:	127P67USC1
Filed:	November 26, 2001		
Title:	PRE-ASSEMBLED HOSE AND RING ASSEMBLY		

AMENDED APPEAL BRIEF

Mail Stop: Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On November 15, 2005, a Notification of Non-Compliant Appeal Brief was sent out for the above-noted matter. Accordingly, Applicant is submitting an Amended Appeal Brief. As provided by M.P.E.P. 1205.03, Applicant is filing replacement sections. Specifically, the section entitled "Status of Claims" on page 5 has been amended to properly reflect that claim 9 was cancelled, rather than withdrawn.

Next, the status of "Summary of Claimed Subject Matter" has been amended to more properly refer to the reference numerals and specific pages of the specification.

The only changes to this section are the addition of reference numerals in parentheses and page numbers that are listed in brackets.

STATUS OF CLAIMS

Claims 1-8 were filed with the parent application on April 12, 2001, which claims the benefit of a provisional application filed April 14, 2000. In an Office Action mailed November 19, 2003, claims 7 and 8 were rejected. An Amendment was filed on February 18, 2004 amending claim 7 and adding claim 9. Claims 1-6 were withdrawn. On November 12, 2004 claim 7 was further amended and claim 9 cancelled, leaving only claims 7 and 8. Claims 7 and 8 were rejected in a Final Office Action mailed May 17, 2005. Claims 7 and 8 are pending. This appeal followed, and claims 7 and 8 are the claims being appealed.

SUMMARY OF CLAIMED SUBJECT MATTER

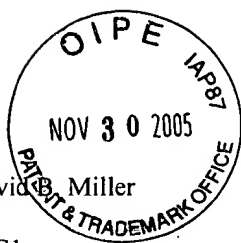
A concise explanation of the invention for each of the independent claims involved in the appeal is as follows:

Claim 7

Claim 7 recites a method of making a clip (10, 110, 210) in an irrigation hose assembly (Fig. 8). A plurality of clips (10, 110, 210), having a body (11) with an opening [page 4, line 12], are secured at spaced intervals on an irrigation hose (50) having an outer surface. The clips (10, 110, 210) are secured at the factory [page 4, lines 3-17 and page 5, lines 3-5] by enlarging the opening to allow the clips (10, 110, 210) to be inserted on the hose (50) and then releasing the clip (10, 110, 210) to secure the clip (10, 110, 210) to the hose (50). The clips (10, 110, 210) have an inner diameter sized and configured to be secured around the hose (50) and also to be moveable on the hose (50), wherein the clip (10, 110, 210) is in contact with the outer surface of the hose (50). The clips (10, 110, 210) and hose (50) are coiled, whereby the assembly of the clips (10, 110, 210) and hose (50) are able to be shipped to a site for subsequent installation by suspending the clips (10, 110, 210) (and thereby the attached hose) from a wire [page 5, lines 3-17]. As stated on page 5, lines 25-29, the preassembling of the clips (10, 110, 210) of the factory eliminates the labor at the site. Previously, as described on page 1, lines 14-19, the hose has been delivered to the site where it is unwound and the clips are manually attached to the hose. Then the wire is secured to the clip to hang the dripper line hose for subsequent use during

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irrigation. The process is slow and expensive and requires substantial labor to install the clips over the hundreds of feet of hose [page 1, lines 20-21].



Re Application of David B. Miller
Serial No. 09/995,009
Docket No. 127P67USC1


Remarks

If there are any other questions regarding this brief, the Examiner is respectfully requested to call the undersigned at the telephone number listed.

Respectfully submitted,

DAVID B. MILLER

Date: 11-28-05

By: 

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